

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Plaintiff,

vs.

VIZIO, INC.,

Defendant.

Civil Action No. 12-10900-DJC

JOINT STIPULATION AND MOTION TO DISMISS

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, Plaintiff Massachusetts Institute of Technology ("MIT") and Defendant VIZIO, Inc. ("VIZIO") (collectively, the "Parties"), by and through counsel, stipulate and move as follows:

The Parties hereby stipulate to the dismissal with prejudice of all claims and causes of action asserted by MIT in the above-captioned action and to the dismissal without prejudice of all counterclaims and causes of action asserted by VIZIO in the above-captioned action.

The Parties have further agreed that all attorneys' fees and costs shall be borne by each party incurring the same.

An agreed-upon Proposed Order of Dismissal has been lodged concurrently herewith. The parties respectfully request that the Proposed Order of Dismissal supersede the Court's prior order dismissing the case on December 19, 2013 (Dkt. 91).

Dated: December 23, 2013

Respectfully submitted,

VIZIO, Inc.

/s/ Kevin G. McBride

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Respectfully submitted,

MASSACHUSETTS INSTITUTE OF
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CERTIFICATE OF SERVICE

I certify that on December 23, 2013, I e-filed this document through the ECF system.

/s/ Brian D. Lipkin